

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
AUGUST 15, 1979

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, August 15, 1979 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - McCARTY, PINKERTON
and KATZAKIAN

Absent: Councilmen - HUGHES and KATNICH

Also Present: City Manager Graves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche.

INVOCATION The invocation was given by Reverend Don Mulvihill,
English Oaks Seventh Day Adventist Church.

PLEDGE Mayor Katzakian led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Pinkerton, McCarty second,
Council approved the Minutes of July 3, 1979 and
July 18, 1979 as written and mailed.

PUBLIC HEARINGS

HANSEN APPEAL Notice thereof having been published in accordance
RE HANSEN with law and affidavit of publication being on file in
INDUSTRIAL the office of the City Clerk, Mayor Katzakian called
PARK FENCING for the Public Hearing to consider the appeal of Mr.
6-1-52 Terry Piazza on behalf of Hansen Industrial Park of
the actions of the Planning Commission in setting
forth the condition upon the approval of the Hansen
Industrial Park Tentative Map that redwood slats be
installed in the chain link fence along the freeway.

City Clerk Reimche presented a letter which had been received from Mr. Terry Piazza stating that he was scheduled to be out of town and requesting that the matter be continued.

A lengthy Council discussion followed. City Attorney Stein presented his recommendation to the Council that the Council refuse to hear the appeal and set forth the basis for his recommendations. Following additional discussion, Council, on motion of Councilman McCarty, Katzakian second, continued the hearing to September 5, 1979 by the following vote:

HANSEN APPEAL
(Cont'd)

Ayes: Councilmen - McCarty and Katzakian

Noes: Councilmen - Pinkerton

Absent: Councilmen - Hughes and Katnich

PLANNING COMMISSION

REZONE 1350 E. PINE
FROM U-H TO M-2

The City Manager gave the following report of the Planning Commission meeting of August 13, 1979.

The Planning Commission -

1. Recommended approval of the request of Mr. Ronald D. Slate to rezone 1350 East Pine Street (i.e., Lots 11 and 12 of Live Oak Colony No. 3) from U-H, Unclassified Holding to M-2, Heavy Industrial.

On motion of Mayor Katzakian, McCarty second, the matter was set for Public Hearing on September 5, 1979.

The Planning Commission also -

PROPOSED
ABANDONMENT OF
MOUNCE STREET

Determined that a public need existed and recommended that the request of Mr. Daniel Anderson be denied to abandon Mounce Street from Cluff Road to its easterly terminus in an area zoned M-2, Heavy Industrial.

PUBLIC HEARING
SET BY PLANNING
COMMISSION TO
CONSIDER AMEND-
ING CIRCULATION
ELEMENT OF
GENERAL PLAN

In a related matter the Planning Commission set a public hearing for September 10, 1979 to consider amending the Circulation Element of the General Plan by modifying the alignment of Mounce Street.

The Planning Commission also -

ITEMS OF INTEREST

1. Did not recommend the amendment of the Specific Plan of South Hutchins Street to permit 30 foot driveway access to a future shopping center at the northwest corner of South Hutchins Street and Harney Lane.

Although a 3 to 2 majority favored the Amendment, the Government Code requires a "majority of the total voting members" to amend a Specific Plan.

2. Conditionally approved the Tentative Map of Aaron Manor, a 3.44 acre, 14 lot single-family development on the south side of Iris Drive, easterly of Atherton Drive in an area zoned R-1, Single-Family Residential. The Planning Commission also certified a Negative Declaration on this project.

3. Conditionally approved the request of Sanguinetti and Arnaiz to add river frontage to Lots 26-32 of Mokelumne Village (i.e., 115-151 Mokelumne River Drive) and to create two parcels north of the present

PLANNING COMMISSION
ITEMS OF INTEREST
(Cont'd)

northern terminus of Awani Drive in an area zoned R-LD, Low Density Multiple Family Residential. The Planning Commission also certified a Negative Declaration on this project.

4. Approved the request of Mr. Ronald B. Thomas on behalf of Genie Development, Inc. to extend the Tentative Map of Beckman Center No. 1 until March 11, 1981. As this is a commercial subdivision it is not affected by the Lodi Unified School District's "Bedroom Fees".

5. Approved the request of Mr. Bozant Katzakian on behalf of Katzakian and Schaffer Realtors to extend the Tentative Map of Industrial Lite Subdivision until February 14, 1981. As this is an industrial subdivision, it is not affected by the Lodi Unified School District's "Bedroom Fees."

6. Determined that the existing lot width constituted a Zoning Hardship and approved the request of Mr. Donald B. Lipscomb for Variances to reduce the required 5 foot side yards to 3 feet to permit the construction of a single-family dwelling at 824 South Church Street in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS

CLAIMS

City Clerk Reimche presented the following claims which had been filed against the City:

- a) Martin and Cindy Corll, Loss Date 12/28/78
- b) Karen Seaters, Loss Date 6/4/79

On motion of Councilman Pinkerton, McCarty second, the heretofore-mentioned claims were denied and referred to the City's contract administrator, R. L. Kautz and Co.

ABC LICENSE

The City Clerk presented the following applications for Alcoholic Beverage License which had been received:

- a) David A. Torres, Monte Carlo, 9 N. Sacramento Street, Lodi, On Sale Beer and Wine, New License
- b) Robert R. Burnett, Back Room, 410 W. Kettleman Lane, On Sale Beer and Wine Eating Place, New License
- c) James D. Barcus, Rainbow-Club, 116 N. Sacramento Street, On Sale General Public Premises, Person to Person Transfer

COMMUNICATIONS
(Cont'd) 22-70F

The City Clerk presented a Notice of Filing Advice Letter No. 1049-G of PG&E for Authority to File a Revised Adjustment Rate Under the Gas Cost Adjustment Clause.

PUC APPLICATIONS

PUC HEARING
RESET

Council was advised of a notice which had been received resetting the adjourned hearing regarding the closing of railroad crossings by the PUC in Lodi to Tuesday, October 23, 1979 at 9:30 a.m. in the Council Chambers, City Hall, Lodi; and Wednesday, October 24, 1979 at 9:30 a.m. in the Commission Courtroom, State Building, 350 McAllister Street, San Francisco, California.

APPEAL RE 30'
DRIVEWAY ACCESS
TO SHOPPING CENTER
AT N/W CORNER OF
HARNEY LANE &
S. HUTCHINS ST.
SET FOR HEARING

City Clerk Reimche presented a letter that had been received from Mr. Wayne M. West of R. W. Siegfried and Associates, appealing the actions of the Planning Commission in denying a request to permit a 30-foot driveway access from the proposed shopping center at the northwest corner of Harney Lane and South Hutchins Street. On motion of Councilman Pinkerton, McCarty second, Council set the matter for Public Hearing on September 5, 1979 at 8:00 p.m.

RES. OF CITY OF
DOS PALOS TAKING
EXCEPTION TO
S.F. BOARD OF
SUPERVISORS
ACTION

City Clerk Reimche presented a letter from Dos Palos advising that on August 7, 1979, the Dos Palos City Council adopted a resolution taking exception to the San Francisco Board of Supervisors' recent action re the boycott of Chiquita Bananas and non-union lettuce.

WORKSHOP ON
SACRAMENTO-S.J.
DELTA INVESTIGA-
TION 70F

City Clerk Reimche presented a Notice of Public Meeting and Workshop on the Sacramento-San Joaquin Delta Investigation to be held August 27 and August 30, 1979 at the Civic Auditorium in Stockton.

FEE WAIVED FOR
CALIFORNIA
SESSIONS, INC.
5/28/79 DATE

City Manager Graves presented a letter which had been received from California Sessions, Inc. stating that it is their understanding the \$5,000.00 fee for the use of the Lodi Grape Bowl Facility could be waived by the City since the Facility was not used on the second day. The letter further advises that they are working hard to recover some of their losses and that they would hope that the City would act generously in awareness of their misfortune and move to waive the usage fee for the 5/28/79 date. The City Council tacitly agreed to the waiving of the fee.

COUNCILMAN
PINKERTON PRO-
POSES PUC HEARINGS
BE HELD IN SACTO. 70F

Councilman Pinkerton proposed that a complaint be registered with the PUC that hearings in regard to the proposed railroad crossings closings in Lodi be held in Sacramento rather than San Francisco because of recent action of the San Francisco Board of Supervisors in endorsing and supporting the United Farm Workers of America AFL-CIO boycott of Chiquita Bananas and

PROPOSE PUC
HEARINGS BE
HELD IN SACTO.
(Cont'd)

non-union lettuce until such time as the growers return to the negotiating table and negotiate acceptable contracts.

Council discussion followed with no action being taken on the proposal.

REPORTS OF CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katzakian second, were approved by the City Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,432,648.50.

AWARD-CONTRACT
FOR MILLS AVE.
RECONSTRUCTION

City Manager Graves presented the following bids which had been received for Mills Avenue Reconstruction as follows:

RES. NO. 79-126

<u>BIDDER</u>	<u>AMOUNT</u>
Claude C. Wood Co.	\$218,474.00
Teichert Construction Co.	\$223,101.00
Argosy Construction Co.	\$224,839.00

Following recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 79-126

RESOLUTION AWARDING THE CONTRACT FOR "MILLS AVENUE RECONSTRUCTION" TO CLAUDE C. WOOD CO., THE LOW BIDDER, IN THE AMOUNT OF \$218,474.00.

AWARD-BID TO
APPLY CLASS II
SLURRY SEAL TO
CITY STREETS

City Manager Graves presented the following bids which had been received to apply Class II Slurry Seal to City Streets:

RES. NO. 79-127

<u>BIDDER</u>	<u>AMOUNT</u>
California Pavement Maintenance Co.	\$12,736.63
Bay Area Sealers	\$13,519.10
Valley Slurry Seal	\$14,433.02
Graham Contractors, Inc.	\$14,532.10

Following recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 79-127

RESOLUTION AWARDING THE BID TO APPLY CLASS II SLURRY SEAL TO CALIFORNIA PAVEMENT MAINTENANCE COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$12,736.63.

AWARD-CONTRACT
FOR HAM LANE
RECONSTRUCTION
ELM TO LOCKEFORD

RES. NO. 79-128

12 00

City Manager Graves presented the following bids which had been received for "Ham Lane Reconstruction, Elm to Lockeford":

<u>BIDDER</u>	<u>AMOUNT</u>
Teichert Construction Co.	\$83,133.00
C. C. Wood Co.	\$89,464.00
Argosy Construction	\$160,026.00

Following recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 79-128

RESOLUTION AWARDING THE CONTRACT FOR "HAM LANE RECONSTRUCTION, ELM TO LOCKEFORD" TO TEICHERT CONSTRUCTION COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$83,133.00.

- AWARD-COMPACT
CAR FOR POLICE
DEPARTMENT

RES. NO. 79-129

12 00

City Manager Graves apprised the Council that only one bid had been received for a Compact Car for the Police Department as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Sanborn Chevrolet	\$5,692.88

City Manager Graves stated that the bid was a reasonable one and that he recommended that the award be made.

RESOLUTION NO. 79-129

RESOLUTION AWARDING THE CONTRACT FOR A COMPACT CAR FOR THE POLICE DEPARTMENT TO THE ONLY BIDDER, SANBORN CHEVROLET, IN THE AMOUNT OF \$5,692.88.

SUNWEST, UNIT
NO. 3
ACCEPTANCE

RES. NO. 79-130

12 00

The City Council was informed that the Subdivision improvements in Sunwest, Unit No. 3 have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and George E. and Rosemarie A. Ferrero and Chris R. and LeVeta Keszler dated July 12, 1978 and as specifically set forth in the plans and specifications approved by the City Council.

RESOLUTION NO. 79-130

RESOLUTION ACCEPTING THE SUBDIVISION IMPROVEMENTS AND STREETS INCLUDED IN TRACT NO. 1262 SUNWEST, UNIT NO. 3

ACCEPTANCE OF
"HUTCHINS STREET
IMPROVEMENTS"

12 00

Council was apprised that the contract for "Hutchins Street Improvements 350' N/Brandywine Drive to Kettleman Lane" which had been awarded to Teichert Construction of Stockton on June 20, 1979 has been completed in substantial conformance with the plans and specifications approved by the City Council.

ACCEPT HUTCHINS
ST. IMPROVMTS.
(Cont'd)

21 7 52

COUNCIL ACCEPTED THE IMPROVEMENTS IN "HUTCHINS STREET IMPROVEMENTS, 350' N/ BRANDYWINE DRIVE TO KETTLEMAN LANE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

PLANS & SPECS FOR
LANDSCAPING &
SPRINKLERS FOR
ENGLISH OAKS
COMMONS & HAM
LANE MEDIAN
APPROVED

21 7 52

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "ENGLISH OAKS COMMONS PARK, SPRINKLER SYSTEM AND TURFING (SITE #1); HAM LANE MEDIAN LANDSCAPING SPRINKLER SYSTEM - HARNEY LANE TO PORT CHELSEA CIRCLE AND ARUNDEL COURT TO CENTURY BOULEVARD (SITE #2)" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

AGREEMENT WITH
CTY. FOR SAFER
OFF-SYSTEM ROADS
FUNDS APPROVED

RES. NO. 79-131

21 7 52

21 7 52

City Manager Glaves presented an Agreement concerning Federal Aid for Safer Off System Roads (S.O.S.) Funds for fiscal year 1978-79 advising that this agreement is required annually by Caltrans prior to distribution of these funds and is the same except for dollar amounts as to those agreements submitted in previous fiscal years. The Federal Government has not yet allocated any S.O.S. funds; however, having the agreement executed will allow the County and all the cities within the County to move quickly once funds are allocated.

RESOLUTION NO. 79-131

RESOLUTION APPROVING AGREEMENT WITH THE COUNTY FOR FEDERAL AID FOR SAFER OFF SYSTEM ROADS FUNDS FOR FISCAL YEAR 1978-79 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

CONTRACT WITH
CHP FOR PARTICI-
PATION IN THE
ABANDONED
VEHICLE PROGRAM
APPROVED

RES. NO. 79-132

21 7 52

City Manager Glaves presented for Council's approval a proposed agreement with the California Highway Patrol covering the City's participation in the Abandoned Vehicle Abatement Program for the period of July 1, 1979 through June 30, 1980. The City's per unit reimbursement under the proposed Agreement will be \$50.00 per vehicle, which will adequately cover the City's administrative costs. The contractual allotment under this Agreement is for 25 vehicles by June 30, 1980.

RESOLUTION NO. 79-132

RESOLUTION APPROVING CONTRACT WITH THE CALIFORNIA HIGHWAY PATROL FOR PARTICIPATION IN THE ABANDONED VEHICLE PROGRAM AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

PROPOSAL BY
CHAMBER OF
COMMERCE FOR
COMMUNITY
FACILITY NEEDS
SURVEY

A presentation was made by Mr. J. R. Jones regarding a Community Facility Needs Survey stating that the Lodi District Chamber of Commerce recognizing the loss of the old Lodi Union High School Auditorium, has given high priority to the study of the need for such a facility in Lodi. The Community Concerns Committee of the Lodi District Chamber of Commerce has spent over a year monitoring this issue and late in 1978 voted to serve as the vehicle for assessing the community need. Contact was made with the Arthur Sherman Co. in Sacramento, a professional fund-raising group. Mr. Sherman, after much research, recommended that a formal study be conducted to determine what type of auditorium/community center the people of Lodi would want, if any, and where it should be located. Several professional study groups were suggested.

The Community Concerns Committee has received formal proposals from both the Marks-Gobel and Associates firm, Fresno, and the University of the Pacific. Marks-Gobel and Associates firm would cost in excess of \$28,000 plus reproduction costs. The University of the Pacific, through the volunteer efforts of Professor Harvey Williams, would utilize volunteers, students, C.E.T.A. workers, etc. to produce a reliable, effective measurement of the community's need for an auditorium/cultural center for under \$5,000.00 to cover costs.

The Lodi District Chamber of Commerce, acting on the research and advice of its Community Concerns Committee, makes the following recommendations:

1. The Lodi City Council appoint a committee of five persons who, under the guidance and direction of Professor Williams, will conduct a community needs feasibility study concerning the auditorium issue, and,
2. This committee be charged with preparing a list of activities to be undertaken to perform this study along with the estimated costs of each component.
3. The City Council then review the list of alternatives available to satisfactorily conduct the study and the estimated costs of same, and allocate up to \$5,000.00 to perform the study.

Following Council discussion, Council, on motion of Mayor Katzakian, Pinkerton second, approved a Community Facility Needs Survey at a cost not to exceed \$5,000.00 with the Lodi District Chamber of Commerce recommendations heretofore set forth by the following vote:

Ayes: Councilmen - Pinkerton and Katzakian

Noes: Councilmen - McCarty

Absent: Councilmen - Hughes and Katnich

REUSCHER
REORGANIZATION TO
CITY & DETACHMENT
FROM THE WOOD-
BRIDGE RURAL CTY.
FIRE PROTECTION
DISTRICT

RES. NO. 79-133

Following presentation by City Clerk Reimche of a certified copy of Local Agency Formation Commission Resolution No. 434 approving the Reuscher Reorganization (LAFC 24-79) to the City of Lodi and detachment from the Woodbridge Rural County Fire Protection District, Council, on motion of Councilman Pinkerton, Katzakian second, adopted Resolution No. 79-133 making determination and ordering reorganization without public hearing and election pursuant to Section 5627.1 of the Government Code in the matter of the Reuscher Addition and detachment of said territory from the Woodbridge Rural County Fire Protection District.

ACTION DEFERRED
ON 1979-80 CAPITAL
IMPROVEMENT
PROGRAM

Mayor Katzakian, with the tacit concurrence of the Council, continued to the September 5, 1979 Council meeting, the 1979-80 Capital Improvement Program.

Council further requested that this matter be given further review at an Informal Informational Meeting held prior to that date.

ORDINANCES

AMEND PD-4 IN AREA
ENCOMPASSED BY
WINCHESTER ACRES

ORD. NO. 1175
ADOPTED

Ordinance No. 1175 entitled "An Ordinance Amending Planned Development District No. 4 to provide for 8 acres of multiple-family development and 2 acres of commercial use in an area encompassed by Winchester Acres Subdivision, at the northwest corner of South Hutchins Street and West Harney Lane" with the following conditions:

- 1) that the multiple family area be limited to a maximum of 20 units per acre and conform with the requirements of R-GA, Garden Apartment Residential District; and
- 2) that the commercial area conform to the requirements of the C-S, Commercial-Shopping District

having been introduced at a regular meeting of the Council held August 1, 1979 was brought up for passage on motion of Councilman Pinkerton, McCarty second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - McCarty, Pinkerton and Katzakian

Noes: Councilmen - None

Absent: Councilmen - Hughes and Katnich

AREA BOUNDED BY LOUIE
AVE. ON THE NORTH, A
N/S ALLEY BETWEEN
CHURCH & PLEASANT AVE.
ON THE EAST, OLIVE CT.
ON THE SOUTH & CALIF.
ST. ON THE WEST FROM
R-MD TO R-GA

ORD. NO. 1176
ADOPTED

22 53 (A)

Ordinance No. 1176 entitled "An Ordinance down zoning the area bounded by Louie Avenue on the north, a north-south alley between Church and Pleasant Avenue on the east, Olive Court on the south and California Street on the west from R-MD, Medium Density Multiple Family Residential to R-GA, Garden Apartment Residential" having been introduced at a regular meeting of the Council held August 1, 1979 was brought up for passage on motion of Councilman Pinkerton, McCarty second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - McCarty, Pinkerton and
Katzakian

Noes: Councilmen - None

Absent: Councilmen - Hughes and Katnich

ADJOURNMENT

There being no further business to come before the Council, Mayor Katzakian adjourned the meeting at approximately 8:50 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK